

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

KENNETH YOUNG,

Plaintiff,

v.

CITY OF CHICAGO,

Defendant.

00C 4478

No.

Jury Trial Demanded

JUDGE LEINENWEBER

COMPLAINT

NOW COMES Plaintiff, KENNETH YOUNG, by and through his attorneys, and complains of the CITY OF CHICAGO as follows:

JURISDICTION

1. Jurisdiction is based upon 28 U.S.C. §1331, 28 U.S.C. §1343, and the Age Discrimination in Employment Act, 29 U.S.C. §621 et seq.

2. Plaintiff has complied with all administrative prerequisites by filing a timely charge of age discrimination with the Equal Employment Opportunity Commission ("EEOC"), attached hereto as Exhibit A. The EEOC has issued to Plaintiff a Notice of Right to Sue, attached hereto as Exhibit B.

VENUE

3. This action properly lies in this district pursuant to 28 U.S.C. §1391 because the events giving rise to this claim occurred in this judicial district.

FILED-EDS

00 JUL 24 PM 4:18

CLERK
U.S. DISTRICT COURT

DOCKETED
JUL 25 2000

MAGISTRATE JUDGE
GERALDINE SOAT BROWN

PARTIES

4. Plaintiff, KENNETH YOUNG, is a 64 year old male (DOB 5/3/36) who resides in the City of Chicago, State of Illinois. Plaintiff was formerly employed by Defendant, the CITY OF CHICAGO, most recently as a Building Code Enforcement Inspector.

5. Defendant, the CITY OF CHICAGO, is a municipal corporation that employs in excess of 20 employees on a full time basis, 52 weeks per year and is engaged in a business affecting commerce.

FACTUAL ALLEGATIONS

PLAINTIFF'S WORK HISTORY WITH THE CITY OF CHICAGO

6. Plaintiff was hired by the City of Chicago in or around 1977 and began his career working in the Department of Urban Renewal.

7. In or around June 1982, Plaintiff was transferred to the Department of Buildings and began work there as a Building Code Enforcement Inspector.

8. At all times relevant to this Complaint, Plaintiff discharged all duties assigned to him in an excellent manner and repeatedly received salary increases and praise for his work performance.

9. Plaintiff remained a Building Code Enforcement Inspector for the City of Chicago until February 3, 2000 when he was terminated in violation of the Age Discrimination in Employment Act.

**PLAINTIFF'S REFUSAL TO PARTICIPATE IN AN EARLY RETIREMENT
PROGRAM OFFERED BY DEFENDANT AND THE RESULTING NEGATIVE
DISCRIMINATORY CONSEQUENCES PLAINTIFF SUFFERED BECAUSE OF THAT REFUSAL**

10. In or around spring of 1997, Defendant announced that it was going to offer an early retirement plan (hereinafter sometimes referred to as "buy-out") to employees of the Department of Buildings.

11. The early retirement plan allowed the employee to buy five years pension benefits.

12. Further, only employees who were 50 years old or older were eligible for the early retirement plan.

13. Plaintiff was 61 years old at the time, thus a member of this group.

14. Marshall Horwitz, one of Plaintiff's co-workers, was also a member of the group eligible for the early retirement buyout. Mr. Horwitz was 56 years old at the time the buy-out was offered.

15. Liam Gallagher, the Director of the Conservation and Inspection, a unit within the Department of Buildings, who was one of plaintiff's superiors, kept a record of certain employees over the age of 50 who were offered the early retirement package, and which record charted whether or not said employees over the age of 50 were going to accept the early retirement package.

16. Both Plaintiff and Mr. Horwitz were on that list.

17. On multiple occasions, Plaintiffs supervisors, including Ed Severns, Liam Gallagher, and Gerry Sullivan made persistent demands of Plaintiff to indicate whether or not he was going to accept the early retirement package and additionally to suggest that it was in his best interests to accept the buy-out proposal.

18. On each occasion, Plaintiff informed his superiors, including Liam Gallagher, that he would not accept the buy-out proposal because it would adversely affect his retirement and pension benefits.

19. After informing Defendant of his intention to refuse the buy-out, Plaintiff was subjected to unprecedented scrutiny of performance and discipline for conduct which inspectors not eligible for the buy-out and inspectors who had accepted the buy-out were not subjected to.

20. On or around June 19, 1997 Defendant launched an extensive inquiry concerning the re-inspection of a certain property conducted by Plaintiff, which culminated in Plaintiff receiving a 90 day suspension on November 17, 1997.

21. Plaintiff's 90 day suspension was remarkable, in that for nearly 13 years prior to that action Plaintiff had suffered no adverse discipline while employed by Defendant, but rather had been given multiple pay increases.

22. Additionally, Plaintiff's 90 day suspension was only the second ever such discipline given by Defendant to any employee in any of its departments, and such discipline was grossly disproportionate to other instances of discipline for the same or similar conduct by employees not eligible for the buy-out or by those who accepted the buy-out.

23. A suspension longer than 29 days results in a break in service and denial of benefits during that break. Defendant had never before suspended any Department of Buildings employee for longer than 29 days until the fall of 1997 when it suspended Plaintiff and Mr. Marshall Horwitz.

24. Horwitz, who also refused the buy-out, was suspended for 90 days as well as a result of an alleged occurrence of poor work performance.

25. Prior to serving his suspension, Cheryl Thomas, Commissioner of Buildings had made an offer to Plaintiff that he would receive no discipline if he would accept the early retirement buy-out.

26. Plaintiff refused to accept the early retirement and was required to serve the 90 day suspension for the alleged charges brought against him.

27. Again, Plaintiff's 90 day suspension was remarkable, in that for nearly 13 years prior to that action, Plaintiff had suffered no adverse discipline while employed by Defendant, but rather had been given multiple pay increases.

28. Additionally, the 90 day suspension Plaintiff received was only the second 90 day suspension ever imposed by the Department of Buildings – the first being imposed against Mr. Horwitz – and that such discipline was grossly disproportionate to other instances of discipline for the same or similar conduct by employees who were not eligible for the buy-out or who accepted the buy-out.

PLAINTIFF'S DENIAL OF CONTRACTED RIGHT TO YEARS OF SERVICE PAY INCREASE

29. Additionally, during this period, on or around July 3, 1997, Defendant unjustly denied Plaintiff a salary increase which was due him under the longevity provisions of the collective bargaining agreement. Under the terms of the collective bargaining agreement, the longevity increase was mandatory, not discretionary.

30. The longevity increase in pay is directly related to an employee's age, in that an employee's years of service are used to determine the amounts and timing of

increases to be given on the basis of longevity. The more years of service an employee has, the more he will be paid.

31. Notwithstanding Plaintiff's entitlement to a longevity increase due to his years of service, Defendant refused him the increase on merit-based grounds, alleging that his work performance did not warrant an increase in pay. Defendant continually denied Plaintiff the longevity increases to which he was entitled.

32. Marshall Horwitz was also denied his longevity increase in or around July 1997, during the same time frame that both Plaintiff and Horwitz were receiving unprecedented and grossly disproportionate suspensions.

PLAINTIFF'S COMPLAINTS OF AGE DISCRIMINATION AND DEFENDANT'S FURTHER DISCRIMINATION, HARASSMENT OF AND RETALIATION AGAINST PLAINTIFF

33. On or about May 22, 1998, Plaintiff filed a charge of discrimination with the EEOC, charging that, inter alia, other building inspectors under the age of 40 never received discipline similar to that given to Plaintiff regardless of the disciplinary charges involved, and that the unprecedented suspension was intended to encourage him to accept the buy-out.

34. In or around fall of 1998, Plaintiff filed at least one formal grievance over the continued denial of a salary increase due to him under the longevity provisions of his collective bargaining agreement. Plaintiff was verbal in his belief that the denial of longevity increases was directed toward older workers upon whom it reaped severe consequences. Indeed, the repeated denials of longevity increases adversely affected the amount of pension benefits to be received by Plaintiff and other older workers.

35. Plaintiff filed subsequent grievances in relation to the denial of longevity increases in or around late 1998, early 1999.

36. Mr. Marshall Horwitz also complained of age discrimination both in an EEOC Charge and by filing grievances of his denial of longevity increases.

37. After having filed a Charge of Discrimination in or around May 1998 and filing multiple grievances regarding the denial of longevity increases between August 1998 through March 1999, Defendant's unlawful discriminatory and retaliatory conduct became more forceful, designed to result in the termination of Plaintiff's employment.

38. Prior to April of 1999, one of Plaintiff's superiors, Edward Severns, threatened to use under-cover surveillance to get Plaintiff and Horwitz fired.

39. On or around April 6, 7, and 13, 1999, Severns followed through with his threats against Plaintiff. On those days, Defendant hired investigators to conduct a secret surveillance of Plaintiff; Plaintiff was notified on May 3, 1999, by the Defendant that in fact it was conducting an investigation of Plaintiff's activities, but the notice did not provide any details of the investigation.

40. Plaintiff thereafter, on May 5, 1999, filed a second charge of discrimination with the EEOC, charging that Defendant had harassed him, denied him raises and promotions because of his age and because he had filed a previous charge of discrimination.

41. Plaintiff received a Notice of Right to Sue letter from the EEOC on or about August 30, 1999, which notice granted him the right to commence a lawsuit within 90 days of his receipt thereof.

42. Shortly thereafter, on January 20, 2000, Plaintiff was given a statement of charges against him and a pre-disciplinary hearing was held as a result of the secret surveillance that took place nine months earlier.

43. On February 3, 2000 Defendant terminated Plaintiff's employment because of those charges.

**DEFENDANT'S CONDUCT WAS SYSTEMATIC AND PERVASIVE
AND DEFENDANT, AT ALL TIMES, MAINTAINED A CUSTOM AND
POLICY OF DISCRIMINATION AGAINST EMPLOYEES ON THE BASIS OF AGE**

44. Defendant engaged in a pattern and practice of age discrimination against Plaintiff and all other older workers. Moreover, Defendant has a custom and policy of discriminating against older employees.

45. Additionally, Defendant failed to promulgate policies to prevent age discrimination in employment, but instead implemented policies that promoted age discrimination in employment.

COUNT I

AGE DISCRIMINATION IN VIOLATION OF ADEA

46. Plaintiff realleges paragraphs 1 through 45 and incorporates them as paragraphs 1 through 45 of Count I of this Complaint.

47. The Age Discrimination in Employment Act, 29 U.S.C. §621 et. seq., makes it unlawful to discriminate against any individual in the terms, conditions or privileges of employment on the basis of age.

48. Plaintiff was treated disparately on the basis of his age and was at all times treated less favorably than similarly situated younger individuals who were not eligible for the buy-out and treated less favorably than employees over 40 years of age who did exercise their option to accept the buy-out.

49. By its conduct as alleged herein, Defendant subjected Plaintiff to age discrimination in violation of the Age Discrimination in Employment Act.

50. Defendant's conduct toward Plaintiff illustrated a willful and/or reckless disregard of Plaintiff's right to be free from age discrimination.

51. Plaintiff demands trial by jury.

COUNT II

RETALIATION IN VIOLATION OF THE AGE DISCRIMINATION IN EMPLOYMENT ACT

52. Plaintiff realleges paragraphs 1 through 51 and incorporates them as paragraphs 1 through 51 of Count II of this Complaint.

53. The Age Discrimination in Employment Act, specifically 29 U.S.C. §623(d), makes it unlawful for an employer to discriminate and/or retaliate against any employee who has opposed an unlawful employment practice under the Act.

54. By its conduct as alleged herein, Defendant retaliated against Plaintiff for asserting his rights under the Age Discrimination in Employment Act, in further violation of the Act.

55. Defendant's conduct toward Plaintiff illustrated a willful and/or reckless disregard of Plaintiff's right to be free from impermissible retaliatory conduct.

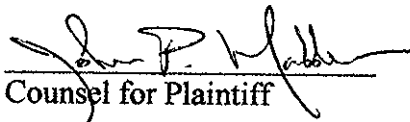
56. Plaintiff demands trial by jury.

RELIEF REQUESTED

WHEREFORE, Plaintiff respectfully requests that this Court find in her favor and against Defendant as follows:

- a. Declare that Defendant's conduct constitutes unlawful age discrimination in violation of the Age Discrimination in Employment Act;
- b. Declare that Defendant's conduct constitutes unlawful retaliation in violation of the Age Discrimination in Employment Act;
- c. Award Plaintiff the value of all compensation and benefits lost as a result of Defendant's unlawful conduct;
- d. Award Plaintiff the value of compensation and benefits he will lose in the future as a result of Defendant's unlawful conduct;
- e. Award Plaintiff reasonable attorney's fees, costs and disbursements; and
- f. Award Plaintiff any and all other relief as is appropriate and just.

Respectfully submitted,

By: 
Counsel for Plaintiff

John P. Madden
Attorney & Counselor at Law
111 W. Washington St.
Suite 1815
Chicago, Illinois 60602
312.629.0084

Exhibit A

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974: completing this form.

Privacy Act Statement before

AGENCY



EEOC

CHARGE NUMBER-

210 A 02259

and EEOC

State or local Agency, if any

NAME (Indicate Mr., Ms., Mrs.)

Mr. Kenneth Young

HOME TELEPHONE (Include Area Code)

773-878-5383

STREET ADDRESS

5139 N. Claremont

CITY, STATE AND ZIP CODE

DATE OF BIRTH

5/3/36

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME

City of Chicago

NUMBER OF EMPLOYEES, MEMBERS

Over 100

TELEPHONE (Include Area Code)

312-744-3400

STREET ADDRESS

121 N. LaSalle St., Room 900 Chicago Illinois 60602

CITY, STATE AND ZIP CODE

COUNTY

Cook

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))



RACE



COLOR



SEX



RELIGION



AGE



RETALIATION



NATIONAL



DISABILITY



OTHER (Specify)

ORIGIN

DATE DISCRIMINATION TOOK PLACE
EARLIEST (ADEA/EPA)

LATEST (ALL)

2/3/00



CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

See Attached.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(Day, month, and year)

I declare under penalty of perjury that the foregoing is true and correct.

Date 3/9/00

Charging Party (Signature)

Complainant, Kenneth Young, began his employment with Respondent, the City of Chicago, in or around 1977 with the Department of Human Services. Complainant then became a Building inspector in or around 1982. Throughout his employment, Complainant discharged all of his duties competently and had an excellent work ethic and performance. Notwithstanding his excellent work performance, Complainant was subjected to discrimination and harassment on the basis of his age, and after having filed a Charge of Discrimination with the EEOC, he was then terminated on or around February 3, 2000.

Complainant is a 63 year old male who worked for Respondent for approximately 23 years. In or around spring of 1997, Respondent announced that it would be offering an early retirement package to its workers over 50 years old and urged eligible employees to accept the package. In fact, Complainant was repeatedly harassed by his superiors about whether he was going to accept the package. When Complainant refused the package, he began to suffer age discrimination and retaliation in the workplace, as outlined in a previous Charge of Discrimination. Specifically, Complainant was denied raises, promotions and longevity increases, and Complainant became the target of a sham investigation lodged against him for no other purpose than to discriminate on the basis of age and retaliate against him for complaining about it.

After refusing the early retirement package and being discriminated against, Complainant repeatedly complained to Respondent about age discrimination and retaliation. Complainant also filed many grievances regarding the denial of his longevity pay which he believed to be discriminatory, as the longevity increase is directly related to years of service, and therefore, age. On or around May 6, 1999, Complainant filed a Charge of Discrimination with the EEOC alleging, *inter alia*, age discrimination and retaliation. Complainant then continued to complain about the discrimination and retaliation he was suffering. On February 3, 2000, Complainant was terminated because of age discrimination and in retaliation for having filed an EEOC Charge and in retaliation for his complaints of age discrimination in the workplace. Respondent's reason for the discharge is pretextual in that Respondent alleged that Complainant was terminated for alleged misconduct and poor work performance that allegedly occurred ten months earlier in April 1999.

Respondent's discriminatory, harassing, and retaliatory treatment of Complainant is in direct violation of the Age Discrimination in Employment Act. As a result of Respondent's behavior, Complainant has suffered lost wages, benefits, severe emotional distress, inconvenience, mental anguish, loss of enjoyment of life, and other non-pecuniary losses.

Exhibit B

EEOC EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE

(Issued on request)

To: Kenneth Young
5139 N. Claremont
Chicago, Illinois 60640

From: Equal Employment Opportunity Commission
500 West Madison
Suite 2800
Chicago, Illinois 60661

Z 178 920 621



On behalf of a person aggrieved whose identity is
CONFIDENTIAL (C.F.R. 1601.7(a))

Charge Number

210A02259

EEOC Representative

Roosevelt Witherspoon, Investigator

Telephone Number

(312) 886-9839

(See the additional information attached to this form)

TO THE PERSON AGGRIEVED: This is your NOTICE OF RIGHT TO SUE. It is issued at your request. If you intend to sue the respondent(s) named in your charge, YOU MUST DO SO WITHIN NINETY (90) DAYS OF YOUR RECEIPT OF THIS NOTICE: OTHERWISE YOUR RIGHT TO SUE IS LOST.



More than 180 days have expired since the filing of this charge.



Less than 180 days have expired since the filing of this charge, but I have determined that the Commission will be unable to complete its process within 180 days from the filing of the charge.



With the issuance of this NOTICE OF RIGHT TO SUE, the Commission is terminating its process with respect to this charge.



It has been determined that the Commission will continue to investigate your charge.



ADEA: While Title VII and the ADA require EEOC to issue this notice of right to sue before you can bring a lawsuit, you may sue under the Age Discrimination in Employment Act (ADEA) any time 60 days after your charge was filed until 90 days after you received notice that EEOC has completed action on your charge.



Because EEOC is closing your case, your lawsuit under the ADEA must be brought within 90 days of your receipt of this notice. Otherwise, your right to sue is lost.



EEOC is continuing its investigation. You will be notified when we have completed action and, if appropriate, our notice will include notice of right to sue under the ADEA.



EPA: While Title VII and the ADA require EEOC to issue this Notice of Right to Sue before you can bring a lawsuit, you already have the right to sue under the Equal Pay Act (EPA) (You are not required to complain to any enforcement agency before bringing an EPA suit in court). EPA suits must be brought within 2 years (3 years for willful violations) of the alleged EPA underpayment.

April 24, 2000
(Date)

On Behalf of the Commission

John P. Rowe
John P. Rowe, District Director

Enclosures

Information Sheet
Copy of Charge

cc: Respondent(s)

City of Chicago

JS 44
(Rev. 07/86)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I (a) PLAINTIFFS

KENNETH YOUNG
JUDGE LEINENWEBER

DEFENDANTS

CITY OF CHICAGO

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)Cook
Cat. IICOUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

JOHN P. MADDEN
111 W. WASHINGTON ST.
SUITE 1815
CHICAGO, IL 60602 312.629-0084

ATTORNEYS (IF KNOWN)

MAGISTRATE JUDGE
GERALDINE SOAT BROWN
00C 4478JUL 24 PM 4:00
CLERK DISTRICT COURT

II. BASIS OF JURISDICTION

(PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)

DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.

Age Discrimination in Employment Act
29 USC § 621 et seq.

JUL 25 2000

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL PROPERTY <input type="checkbox"/> 362 Personal Injury—Med Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Food & Drug <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC (405(g)) <input type="checkbox"/> 863 DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights		

VI. ORIGIN

(PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION
☐ UNDER F.R.C.P. 23

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: ☒ YES ☐ NO

VIII. REMARKS

In response to ☒ is not a refiling of a previously dismissed actionGeneral Rule 2.21D(2) this case ☐ is a refiling of case number _____ of Judge _____

DATE

SIGNATURE OF ATTORNEY OF RECORD

7.24.00

UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

00C 4478

In the Matter of

Kenneth Young

v.
City of Chicago

Case Number:

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR

Kenneth Young

JUDGE LEINENWEBER

FILED ED5

00 JUL 24 PM 4: 18

CLERK
U.S. DISTRICT COURT

(A)	(B)
SIGNATURE <i>John P. Madden</i>	SIGNATURE
NAME <i>John P. Madden</i>	NAME
FIRM	FIRM
STREET ADDRESS <i>111 W. WASHINGTON ST., Ste R15</i>	STREET ADDRESS
CITY/STATE/ZIP <i>CHICAGO, IL 60602</i>	CITY/STATE/ZIP
TELEPHONE NUMBER <i>312-629-0084</i>	TELEPHONE NUMBER
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) <i>6243400</i>	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)
MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>
TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/>
	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>
(C)	(D)
SIGNATURE	SIGNATURE
NAME	NAME
FIRM	FIRM
STREET ADDRESS	STREET ADDRESS
CITY/STATE/ZIP	CITY/STATE/ZIP
TELEPHONE NUMBER	TELEPHONE NUMBER
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)
MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>
TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/>
DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>

DOCKETED
JUL 25 2000
MAGISTRATE JUDGE
GERALDINE SOAT BROWN

1-3